

**COMBINED DECLARATION AND POWER OF
ATTORNEY FOR UTILITY PATENT APPLICATION**

Docket No. 221.P1

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below)
OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE
SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

ENTITLED: NUCLEOTIDE ANALOGS
the specification of which:

(check one) X is attached hereto:
_____ was filed on _____ as
Application Serial No. _____
and was amended on _____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION,
INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information
which is material to the patentability of the claims of this application in accordance with Title
37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

"(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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Full Name of First Inventor Murty N. Arimilli	Signature	Date
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Full Name of Second Inventor Kenneth C. Cundy	Signature	Date
Residence 3802 Naughton Avenue, Belmont, California 94002, USA		Citizenship United States
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Full Name of Third Inventor Joseph P. Dougherty	Signature	Date
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Full Name of Fourth Inventor Choung U. Kim	Signature	Date
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Full Name of Fifth Inventor Reza Oliyai	Signature	Date
Residence 116 Victory Circle, San Ramon, California 94583, USA		Citizenship United States
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Full Name of Sixth Inventor Valentino J. Stella	Signature	Date
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PATENT

Attorney's Docket No. 221.P1

Applicant or Patentee: Murty N. Arimilli, Kenneth C. Cundy, Joseph P. Dougherty, Choung U. Kim, Reza (NMI) Oliyai and Valentino J. Stella

Serial or Patent No.: Unassigned

Filed or Issued: July 25, 1997

For: NUCLEOTIDE ANALOGS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27 (c))---SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN GILEAD SCIENCES, INC.

ADDRESS OF CONCERN 333 Lakeside Drive

Foster City, California 94404

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

NUCLEOTIDE ANALOGS

by inventor(s) Murty N. Arimilli, Kenneth C. Cundy, Joseph P. Dougherty, Choung U. Kim, Reza (NMI) Oliyai and Valentino J. Stella

described in

☒ the specification filed herewith.

☐ application serial no. _____, filed _____.

☐ patent no. _____, issued _____.

08900746-072597

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ADDRESS _____

NAME _____

ADDRESS _____

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

NAME OF PERSON SIGNING Max D. Hensley

TITLE OF PERSON OTHER THAN OWNER Vice President for Intellectual Property

ADDRESS OF PERSON SIGNING Gilead Sciences, Inc.
333 Lakeside Drive
Foster City, CA 94404

SIGNATURE Max Hensley Date July 25, 1907

Date July 25, 1997